

REMARKS/ARGUMENTS

Applicant elects, without traverse, Group I, including claims 1-49. Within the elected group, the examiner has made a species restriction between:

Species A as drawn to a catheter having a conductive cap and a flexible conductive member [claims 1-17];

Species B as drawn to a catheter having a closed tip and a flexible coil [claims 18-33];
and

Species C as drawn to a catheter having a conductive cap and a flexible [conductive] coil [claims 34-49].

Applicant elects, with traverse, Species A, which is believed to include claims 1-17. Applicant respectfully traverses the species restriction as to Species A and Species C. Independent claim 1 of Species A recites a flexible conductive member whereas independent claim 34 of Species C recites a flexible conductive coil. It is respectfully submitted that a flexible conductive coil is a type of flexible conductive member such that the species are not mutually exclusive. Because a flexible conductive coil is one type of flexible conductive member, it is respectfully submitted that prior art applicable to Species A would likely be applicable to Species C. Therefore, it is respectfully submitted that there is no examination burden should the claims of Species A and Species C remain in the same application.

The non-elected claims of Groups II-VI and the non-elected claims of Species B have been cancelled. The non-elected claims of Species C have been withdrawn. Therefore, the instant response is believed to be a complete response to the restriction requirement.

Appl. No.: 10/797,958
Amendment dated 22 August 2008
Reply to Office action of 22 July 2008

Applicant has made a diligent effort to fully respond to the examiner's concern. An early Office action on the merits of claims 1-17 and claims 34-49 is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "E L Pencoske". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

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